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REPORT TO THE ECONOMIC AND SOCIAL COUNCIL ON THE FIFTY-FOURTH SESSION OF THE COMMISSION

DRAFT REPORT OF THE COMMISSION

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(a) PROBLEMS RELATED TO THE RIGHT TO ENJOY AN ADEQUATE STANDARD OF LIVING; FOREIGN DEBT, ECONOMIC ADJUSTMENT POLICIES AND THEIR EFFECTS ON THE FULL ENJOYMENT OF HUMAN RIGHTS AND, IN PARTICULAR, ON THE IMPLEMENTATION OF THE DECLARATION ON THE RIGHT TO DEVELOPMENT;

(b) THE EFFECTS OF THE EXISTING UNJUST INTERNATIONAL ECONOMIC ORDER ON THE ECONOMIES OF THE DEVELOPING COUNTRIES, AND THE OBSTACLE THAT THIS REPRESENTS FOR THE IMPLEMENTATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS.

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* Documents E/CN.4/1998/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, will be contained in documents E/CN.4/1998/L.11 and addenda.

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1. The Commission considered agenda item 5 concurrently with item 6 (see chap. VI) at its 13th to 18th meetings, from 24 to 26 March, at its 38th meeting, on 9 April, and at its 51st meeting, on 17 April 1998. 1/

2. For the documents issued under agenda item 5, see annex IV to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairman's statements, by agenda item, see annex V to the present report.

3. At the 15th meeting, on 25 March 1998, a statement was made by Ms. Angela E.V. King, Special Adviser of the Secretary-General on Gender Issues and Advancement of Women.

4. At the same meeting, the Special Rapporteur on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights, Ms. Fatma Zohra Ksentini, introduced her report (E/CN.4/1998/10 and Add.1-2).

5. In the general debate on agenda item 5, statements 2/ were made by the following members of the Commission: Bangladesh (16th), Brazil (17th), Chile (13th), China (15th), Cuba (15th), El Salvador (17th), Guatemala (16th), India (14th), Japan (16th), Madagascar (16th), Nepal (15th), Pakistan (16th), Peru (14th), Republic of Korea (17th), Russian Federation (16th), Senegal (16th), South Africa (16th), Tunisia (17th), Uganda (15th), Ukraine (17th), United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union, Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Romania, Slovakia and Slovenia) (15th).

6. The Commission heard statements by the observers for: Algeria (18th), Egypt (15th), Finland (16th), Haiti (18th), Iran (Islamic Republic of) (18th), Nicaragua (18th), Nigeria (16th), Norway (16th), Paraguay (14th), Portugal (18th), Swaziland (15th), United Arab Emirates (16th), United Republic of Tanzania (14th), Yemen (18th).

7. Statements were also made by the observers for the United Nations Centre for Human Settlements (Habitat) (16th), the Food and Agriculture Organization of the United Nations (18th), the World Health Organization (14th), the International Federation of Red Cross and Red Crescent Societies (16th) and the World Bank (17th).

8. The Commission also heard statements by the following non-governmental organizations: African Association of Education for Development (18th), African Commission of Health and Human Rights Promoters (14th), Afro-Asian People's Solidarity Organization (18th), American Association of Jurists (14th), Asian Cultural Forum on Development (17th), Association tunisienne pour l'auto-développement et la solidarité (17th), Caritas Internationalis (18th), Centre Europe-Tiers Monde (14th), Earthjustice Legal Defense Fund (18th), Human Rights Advocates (14th), Indian Council of Education (17th), Indian Movement Tupaj Amaru (14th), International Association against Torture (18th), International Association of Democratic Lawyers (14th), International Educational Development (14th), International Federation of Social Workers (16th), International Federation Terres des Hommes (18th), International Federation of University Women (joint statement with American Association of Retired Persons, Associated Country Women of the World, Baha'i International Community, Change, Coalition Against Trafficking in Women, Consumers International, International Abolitionist Federation, International Alliance of Women, International Baccalaureat Organisation, International Council of Jewish Women, International Council of Social Welfare, International Council of Women, International Federation of Settlements and Neighbourhood Centres, National Council of German Women's Organizations, Soroptomist International, Women's International Zionist Organization, Women's World Summit Foundation, World Federation of the Ukrainian Women's Organization, World Union of Catholic Women's Organizations, Zonta International) (14th), International Institute for Non-Aligned Studies (16th), International League for the Rights and Liberation of Peoples (17th), International Movement ATD Fourth World (18th),

International Movement of Apostolate in the Independent Social Milieus (14th), International Organization for the Development of Freedom of Education (16th), Minority Rights Group (18th), Pax Christi (17th), Pax Romana (joint statement with Franciscans International)(14th), Service, Peace and Justice in Latin America (17th), Socialist International (18th), Women's International League for Peace and Freedom (17th), World Federation for Mental Health (17th), World Federation of Trade Unions (14th), World Muslim Congress (17th), World Society of Victimology (17th).

Human rights and unilateral coercive measures

9. At the 38th meeting, on 9 April 1998, the observer for Colombia introduced draft resolution E/CN.4/1998/L.9, sponsored by China and Colombia (on behalf of the Non-Aligned Movement).

10. A statement in explanation of vote before the vote was made by the representative of the United States of America.

11. The representative of the United States of America requested a vote. At the request of the representative of Cuba, a roll-call vote was taken on the draft resolution, which was adopted by 37 votes to 7, with 8 abstentions. The voting was as follows:

In favour: Argentina, Bangladesh, Belarus, Bhutan, Botswana, Brazil, Cape Verde, Chile, China, Congo, Cuba, Democratic Republic of the Congo, Ecuador, El Salvador, Guatemala, Guinea, India, Indonesia, Madagascar, Malaysia, Mexico, Morocco, Mozambique, Nepal, Pakistan, Peru, Philippines, Russian Federation, Rwanda, Senegal, South Africa, Sri Lanka, Sudan, Tunisia, Uganda, Uruguay, Venezuela.

Against: Canada, Germany, Japan, Luxembourg, Republic of Korea, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Austria, Czech Republic, Denmark, France, Ireland, Italy, Poland, Ukraine.

12. The delegation of Mali later advised the Secretariat that, had it been present, it would have voted in favour of the draft resolution.

13. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/11.

Adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights

14. At the 38th meeting, on 9 April 1998, the representative of Senegal introduced draft resolution E/CN.4/1998/L.20/Rev.1, sponsored by Senegal (on behalf of the African Group). Costa Rica, Iraq, the Libyan Arab Jamahiriya and Paraguay subsequently joined the sponsors.

15. Statements in explanation of vote before the vote were made by the representatives of Germany, Malaysia, the Philippines and the United States of America.

16. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 1/ of the draft resolution.

17. The representative of the United States of America requested a vote. At the request of the representative of Senegal, a roll-call vote was taken on the draft resolution, which was adopted by 33 votes to 14, with 6 abstentions. The voting was as follows:

In favour: Argentina, Bangladesh, Bhutan, Botswana, Brazil, Cape Verde, Chile, China, Congo, Cuba, Democratic Republic of the Congo, Ecuador, El Salvador, Guinea, India, Indonesia, Madagascar, Mali, Mexico, Morocco, Mozambique, Nepal, Pakistan, Peru, Rwanda, Senegal, South Africa, Sri Lanka, Sudan, Tunisia, Uganda, Uruguay, Venezuela.

Against: Belarus, Canada, Czech Republic, Denmark, France, Germany, Italy, Japan, Luxembourg, Poland, Russian Federation, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Austria, Guatemala, Ireland, Malaysia, Philippines, Republic of Korea.

18. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/12.

Effects of structural adjustment policies on the full enjoyment of human rights

19. At the 38th meeting, on 9 April 1998, the representative of the Philippines introduced draft decision E/CN.4/1998/L.31, sponsored by the Philippines.

20. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft decision.

21. A statement in explanation of vote before the vote was made by the representative of Japan.

22. The representative of the United Kingdom of Great Britain and Northern Ireland requested a vote. At the request of the representative of the Philippines, a roll-call vote was taken on the draft decision, which was adopted by 36 votes to 14, with 3 abstentions. The voting was as follows:

In favour: Argentina, Bangladesh, Bhutan, Botswana, Brazil, Cape Verde, Chile, China, Congo, Cuba, Democratic Republic of the Congo, Ecuador, El Salvador, Guatemala, Guinea, India, Indonesia, Madagascar, Malaysia, Mali, Mexico, Morocco, Mozambique, Nepal, Pakistan, Philippines, Republic of Korea, Rwanda, Senegal, South Africa, Sri Lanka, Sudan, Tunisia, Uganda, Uruguay, Venezuela.

Against: Austria, Belarus, Canada, Denmark, France, Germany, Ireland, Italy, Japan, Luxembourg, Russian Federation, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Czech Republic, Peru, Poland.

23. For the text of the decision as adopted, see chapter II, section B, decision 1998/... .

The right to food

24. At the 51st meeting, on 17 April 1998, the representative of Cuba introduced draft resolution E/CN.4/1997/L.16, sponsored by Afghanistan, Algeria, Bangladesh, Bhutan, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Cuba, the Democratic Republic of the Congo, the Democratic People's Republic of Korea, Denmark, the Dominican Republic, Ecuador, El Salvador, Ethiopia, Egypt, Finland, France, Guatemala, Guinea, Haiti, India, the Islamic Republic of Iran, Iraq, Ireland, Italy, Kenya, the Libyan Arab Jamahiriya, Madagascar, Mali, Mauritania, Mexico, Mozambique, Nepal, Nigeria, Pakistan, Panama, Peru, Portugal, Rwanda, Senegal, South Africa, Sri Lanka, Swaziland, the Syrian Arab Republic, Togo, Uganda, the United Republic of Tanzania, Venezuela, Viet Nam and Yemen. Angola,

Australia, Austria, Belarus, Costa Rica, Germany, Liechtenstein, Norway, the Philippines, the Russian Federation, the Sudan and Tunisia subsequently joined the sponsors.

25. The second and eighth preambular paragraphs and operative paragraphs 6 and 7 of the draft resolution were orally revised by the representative of Cuba.

26. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft decision. In that regard, a statement of the estimated administrative and programme budget implications of draft resolution E/CN.4/1997/L.16 was issued in document E/CN.4/1998/L.94.

27. The draft resolution, as orally revised, was adopted without a vote. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/23.

Effects on the full enjoyment of human rights of the economic adjustment policies arising from foreign debt and, in particular, on the implementation of the Declaration on the Right to Development

28. At the 51st meeting, on 17 April 1998, the representative of Cuba introduced draft resolution E/CN.4/1998/L.17, sponsored by Algeria, Angola, Bangladesh, Cameroon, China, Colombia, Cuba, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Egypt, Gabon, Ghana, Guinea, Haiti, the Islamic Republic of Iran, Iraq, Kenya, Madagascar, Mali, Mozambique, Nigeria, Rwanda, Senegal, the Sudan, Swaziland, the Syrian Arab Republic, Togo, the United Republic of Tanzania, Viet Nam, Yemen and Zimbabwe. Angola, Congo, the Dominican Republic and Tunisia subsequently joined the sponsors.

29. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution. In that regard, a statement of the estimated administrative and programme budget implications of draft resolution E/CN.4/1997/L.17 was issued in document E/CN.4/1998/L.95.

30. Statements in explanation of vote before the vote were made by the representatives of Argentina, Japan, Mexico and the United States of America.

31. At the request of the representative of the United Kingdom of Great Britain and Northern Ireland, a vote by show of hands was taken on the draft resolution, which was adopted by 27 votes to 16, with 9 abstentions.

32. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/24.

Human rights and extreme poverty

33. At the 51st meeting, on 17 April 1998, the representative of France introduced draft resolution E/CN.4/1998/L.29, sponsored by Afghanistan, Algeria, Angola, Argentina, Bangladesh, Belgium, Bulgaria, Cameroon, Cape Verde, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Denmark, the Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Finland, France, Gabon, Greece, Guatemala, Honduras, India, Ireland, Italy, Luxembourg, Madagascar, Malaysia, Mexico, Mongolia, Morocco, Nepal, Nicaragua, Peru, the Philippines, Poland, Portugal, the Republic of Korea, Romania, the Russian Federation, Rwanda, San Marino, Senegal, Slovakia, South Africa, Spain, Switzerland, Togo, Ukraine and Venezuela. Andorra, Australia, Bhutan, Brazil, China, Georgia, Germany, Guinea, Iraq, Mali, Malta, Nigeria, Norway, Pakistan, the Sudan and Uruguay subsequently joined the sponsors.

34. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 3/ of the draft resolution. In that regard, a statement of the estimated administrative and programme budget implications of draft resolution E/CN.4/1997/L.29 was issued in document E/CN.4/1998/L.96.

35. Statements in explanation of vote before the vote were made by the representatives of Japan and the United States of America.

36. The representative of the United States of America requested a vote. At the request of the representative of France, a roll-call vote was taken on the draft resolution, which was adopted by 51 votes to 1, with no abstentions. The voting was as follows:

In favour: Argentina, Austria, Bangladesh, Belarus, Bhutan, Botswana, Brazil, Canada, Cape Verde, Chile, China, Congo, Cuba, Czech Republic, Democratic Republic of the Congo, Denmark, Ecuador, El Salvador, France, Germany, Guatemala, Guinea, India, Indonesia, Ireland, Italy, Japan, Luxembourg, Madagascar, Malaysia, Mali, Mexico, Morocco, Mozambique,

Nepal, Pakistan, Peru, Philippines, Poland, Republic of Korea, Russian Federation, Senegal, South Africa, Sri Lanka, Sudan, Tunisia, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

Against: United States of America

Abstaining: None

37. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/25.

Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights

38. At the 51st meeting, on 17 April 1998, the observer for Portugal introduced draft resolution E/CN.4/1998/L.35, sponsored by Andorra, Angola, Australia, Austria, Belgium, Bulgaria, Cameroon, Cape Verde, Chile, Costa Rica, the Czech Republic, Denmark, the Dominican Republic, Finland, France, Germany, Greece, Ireland, Italy, Lithuania, Luxembourg, Mexico, Nepal, the Netherlands, Norway, Paraguay, Peru, the Philippines, Poland, Portugal, Romania, Slovakia, South Africa, Spain, Sweden, Switzerland, Togo and Uganda. Argentina, Belarus, Brazil, Congo, Cyprus, El Salvador, Georgia, Guatemala, Malta, Russian Federation, Tunisia, United Kingdom of Great Britain and Northern Ireland and Uruguay subsequently joined the sponsors.

39. The representative of the United States of America proposed amendments to operative paragraphs 7 and 8 of the draft resolution.

40. Statements in connection with the draft resolution were made by the representative of India and by the observer for Portugal.

41. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications 1/ of the draft resolution. In that regard, a statement of the estimated administrative and programme budget implications of draft resolution E/CN.4/1997/L.35 was issued in document E/CN.4/1998/L.97.

42. A statement in explanation of vote before the vote was made by the representative of the United States of America.

43. At the request of the representative of the United States of America, a vote by show of hands was taken on the draft resolution, which was adopted by 52 votes to 1 with no abstentions.

44. Statements in explanation of vote after the vote were made by the representatives of Japan and the United Kingdom of Great Britain and Northern Ireland.

45. For the text of the resolution as adopted, see chapter II, section A, resolution 1998/33.